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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
 JEREMY DAVIS, CHRISTOPHER
 CASTILLO, and MONIQUE TRUJILLO
 individually and on behalf of all others
 similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

CASE NO.: 4:20-cv-03664-YGR-SVK

**[PROPOSED] ORDER DENYING
 GOOGLE'S MOTION TO BIFURCATE
 PUNITIVE DAMAGES AMOUNT**

Judge: Hon. Susan van Keulen

1 Before the Court is “Google’s Notice of Motion and Motion to Bifurcate Punitive
2 Damages Amount” (“Motion to Bifurcate”). Dkt. 1064. On November 28, 2023, Plaintiffs filed
3 their Opposition to Google’s Motion Bifurcate. Having considered the Motion to Bifurcate,
4 Plaintiffs’ Opposition, supporting declarations, and other papers on file, the Court finds as
5 follows.

6 Bifurcation is the “exception rather than the rule of normal trial procedure within the
7 Ninth Circuit” and Google “carries the burden of proving bifurcation is warranted”, and the Court
8 finds Google has not met its burden to show bifurcation is warranted here. *Medtronic v. Minimed*
9 *Inc. v. Animas Corp.*, 2013 WL 3233341, at *1 (C.D. Cal. June 25, 2013). Evidence Google seeks
10 to defer to Google’s proposed trial phase 2 (that relevant to the amount of punitive damages) is
11 also relevant to the issues that will be considered in its first proposed trial phase, specifically
12 Plaintiffs’ privacy torts and the amount of other damages Plaintiffs may be entitled to. Bifurcating
13 the amount of punitive damages would, therefore, be inefficient and cure no prejudice to Google.

14 It is therefore

15 **ORDERED, ADJUDGED, and DECREED:**

16 The Court **DENIES** “Google’s Notice of Motion and Motion to Bifurcate Punitive
17 Damages Amount” (“Motion to Bifurcate”). Dkt. 1064.

18 **IT IS SO ORDERED.**

19 Dated: _____

Hon. Yvonne Gonzalez-Rogers